Page 22

just identify that what we've marked as Exhibit 1
is in fact the Albion report?

A. That's correct.

Q. Let me direct you to page 2 instead of
4. And I'm looking at the section headed project
methodology. And there you'll see that you're
referring to the spiral development approach which
promotes delivery of software components in
increments. It gives management the ability to
constantly review the process of the development
effort throughout the development cycle and make
course corrections.

Were there any midcourse corrections in
this project, other than what you've already
described?

A. No. No change in requirements except
for the CSR at the end.

Q. Was your engagement with BellSouth
reduced to writing? Is there a contract that -- a
lot of times when a consultant is hired by a
company, they'll have a written engagement letter
or a contract that specifies the scope of the
project and how they're going to be paid and so
forth.

Was there that kind of an agreement

Page 23

here?

A. I don't know.

Q. Mr. Runnels, do you know?

BY MR. RUNNELS:

A. I don't know.

Q. Mr. Runnels, what were the time and
budget restrictions that BellSouth gave you for
this project? I'm sorry, Mr. Berman. I was
looking at one and saying the other's name. I
apologize.

Mr. Berman, what were the time and
budget restrictions?

BY MR. BERMAN:

A. Basically, the budget restrictions was
a PO for $150,000.

Q. When you say PO for $150,000, I assume
you're referring to a purchase order?

A. Purchase order for $150,000.

Q. What does that mean exactly?

A. Basically, this is what -- in Albion's
proposal to BellSouth, based on the amount of
time -- it was a time and materials estimate based
on the amount of time we believed it would take
for us to write per the specifications or the
requirements by BST. The purchase order was

Page 24

1 basically for the amount that would cover that.

2   Q. Did that include any licensing?

3   A. I can't answer that.

4   Q. I gather your deadline was April 30th,

5 1998?

6   A. Our deadline was get the work done as

7 soon as we could get the work done. April 30 is

8 when we finished the development of it.

9   Q. You were not given a specific

10 deadline?

11   A. I was not given a specific date.

12   Q. Was there any work you were initially

13 requested to do that you did not do in this

14 project?

15   A. No.

16   Q. Were you ever requested to develop an

17 application for new business service orders?

18   A. Rephrase that again.

19   Q. Sure. Do you know what I mean by new

20 business service order? The application you

21 actually did was for orders for new residential

22 service.

23   A. (Witness nodded head affirmatively.)

24   Q. Now I'm asking you about orders for new

25 business service.

Page 25

1   A. No.

2   Q. And the question is whether you were

3 ever asked to develop an application for that.

4   A. No.

5   Q. On page 2, there's a section headed

6 requirements. Now, I want to walk through that

7 with you and make sure we all understand what it

8 means. First sentence says from a business

9 requirements' perspective, BST's LENs web

10 application was used as a model for the business

11 requirements used in OPII.

12   Can you elaborate on what that means?

13   A. One of the ways that we were able to

14 see the functionality for the new service for

15 residential was through the LENS application,

16 attribution, data required.

17   Q. So you used LENS to figure out what

18 specifications you were going to need?

19   A. We used LENS to give us an idea of what

20 we were going to need.

21   Q. The next sentence says functionally,

22 requirements were communicated to Albion using

23 various methods including CGI (HTML) and ANSI

24 standard Purchase Order 850 EDI transaction

25 specifications from BST.

Page 26

1   What other methods were used?
2   A. We had the CGI specifications, we had
3 the LENS specifications, we had the LEO guide,
4 which included the specifications for the 850 EDI
5 transaction set.
6   Q. So perhaps I was thrown off by the word
7 methods. Does methods there really mean
8 documents?
9   A. Various documents.
10   Q. Any other -- let me put it this way,
11 are there any other documents that you used, not
12 listed in your report?
13   A. No.
14   Q. Finally, the last sentence says,
15 additionally, Albion integrated other non-BST
16 requirements into the software to show internal
17 versus external integration between in-house and
18 BST services.
19   And my question is, what non-BST
20 requirements were integrated?
21   A. In our administrative portion of the
22 application, we show integration or show from our
23 database perspective contracted carriers, carriers
24 that we as a CLEC would prefer to use. We have
25 promotional material that we are able to

Page 27

1 maintain. We have our accounting information or
2 billing information, as well as we have our
3 contacts within our -- from our perspective that
4 we integrate into the application.
5   Q. I gather you were not requested to
6 develop an interface for commercial application?
7   A. That's correct.
8   Q. And the OPII, as currently structured,
9 could not immediately be used for commercial
10 application, could it?
11   A. That's incorrect.
12   Q. So it's your testimony that it could
13 immediately be used for commercial application?
14   A. That's correct.
15   Q. You realize that BellSouth has stated
16 publicly that this is a prototype that could not
17 be used for commercial application?
18   A. (Witness nodded head affirmatively.)
19   Q. Can you explain the discrepancy in the
20 two statements?
21   A. Right. I can speak from an Albion
22 perspective. We do not design and develop
23 applications that effectively are hung together,
24 so to speak. In other words, our applications are
25 based on previous history, working with, as I said

Page 28

1 again, components and libraries that we have in
2 production.
3   So effectively, the patterns by which
4 this application was developed would be
5 effectively along the same lines as if I were
6 developing an application for 200 users, a full
7 production application.
8   Q. You'd agree with me that OPII has not
9 been commercially tested, wouldn't you?
10   A. That's correct, we were not asked to
11 load test.
12   Q. And you were not requested to develop
13 an interface that could process orders for
14 business or residential customers with existing
15 service; correct?
16   A. That's correct.
17   Q. Can you give us any estimate of how
18 much time and expense would be required to develop
19 those applications?
20   A. No, I cannot.
21   Q. And I think you've already said you
22 weren't asked to develop an application for new
23 business orders. Same question, do you have any
24 estimate of how much time and expense would be
25 required to develop that application?

Page 29

1   A. No, I cannot.
2   Q. Was there any geographic limit to the
3 scope of your project?
4   A. (Witness shook head negatively.)
5   Q. For example, I think when we get into
6 the -- further into your report, it looks like the
7 example you used from was from Georgia.
8   Were you limited to Georgia?
9   A. I don't know the answer to that.
10   Q. Mr. Runnels, do you know?
11 BY MR. RUNNELS:
12   A. We were not limited to Georgia. As I
13 was testing for phone numbers and valid addresses,
14 I tested mostly Georgia. But I also tested, I
15 think, Alabama, Kentucky and Florida.
16   Q. Has Albion completed the OPII project
17 for BellSouth?
18 BY MR. BERMAN:
19   A. That's correct.
20   Q. Have you been asked to provide the code
21 Albion developed to CLECs?
22   A. Can you say that one more time or
23 rephrase that?
24   Q. Yes. Let's talk about it with respect
25 to BellSouth first. Has BellSouth talked to

Page 30

Albion about making the code that you've developed available to CLECs?

A. Yes.

Q. Can you describe that discussion, please?

A. BellSouth currently has the source code to this software. The discussion purely centered around were there any licensing issues that they should be aware of.

Q. That they, BellSouth, should be aware of?

A. That BellSouth should be aware of.

Q. What was the outcome of those discussions?

A. One of the points that I make in here with this application is that we, as Albion, use a framework or a set of class libraries and components that are on top of the development environment that we use. And that is a license product.

So effectively if they were giving the software away, they'd be giving away a product of ours that we would normally sell.

Q. So in other words, before BellSouth would give the code to CLECs, it would need to

Page 31

deal with Albion about any licensing rights?

A. We would have to release those rights to them.

Q. Is Albion willing to release those rights?

A. I can't answer that.

Q. Has Albion been requested to release those rights?

A. I can't answer that either.

Q. Those discussions took place with others within Albion?

A. Sales.

Q. And you don't know the current status; is that true?

A. I do not.

Q. I gather you wouldn't know what Albion might charge for the license rights?

A. I know what the license rights are list, but the price would be -- it's different based on various scenarios. Normally, we would not charge for it.

Q. Did you say that you knew what it was list?

A. List is 95,000.

Q. And why is it you ordinarily would not

Page 32

1 charge for it?

2 A. We haven't had the opportunity yet

3 to -- we have not sold it as a stand-alone

4 product. Normally, that product comes in with us

5 when we perform systems integration at a given

6 client site.

7 Q. So you more or less give it away in

8 connection with other products?

9 A. With our services.

10 Q. Mr. Berman, who drafted this report

11 that's Exhibit 1 to your deposition?

12 A. Talking this?

13 Q. Yes.

14 A. It was a combination of myself, Jack

15 Runnels and the other consultant, Muthu Kumar,

16 M-u-t-h-u, K-u-m-a-r.

17 Q. Who was the project architect?

18 A. Rob Marchant, M-a-r-c-h-a-n-t.

19 Q. On page 1 of the report, there's a

20 description of what the project architect did. Is

21 it fair to say that Mr. Marchant provided

22 high-level supervision for the project?

23 A. Mr. Marchant came up with the design of

24 the overall architecture of the application.

25 Q. Can you explain in layman's terms what

Page 33

1 you mean by the overall design of the project?

2 A. Effectively how the work is broken out

3 from a work flow perspective, how you work your

4 way through the pre-order versus the firm order

5 functionality, basically, a lot of the details of

6 what a user would see visually, as well as the

7 back-end services, services that do all of the CGI

8 integration, services that are working with

9 Oracle, O-r-a-c-l-e.

10 Q. Now you were the software manager, the

11 project manager?

12 A. Yes, sir.

13 Q. And you supervised Mr. Runnels and

14 Mr. Kumar?

15 A. That's correct.

16 Q. Did you write any of the software

17 code?

18 A. Mr. Kumar and Mr. Runnels were both

19 experienced in the technology that we use prior to

20 working on this project, but they had never used

21 the framework that we've previously discussed. So

22 I was the technical mentor basically to bring them

23 up to speed on how to use those libraries and

24 components.

25 The answer is yes, I wrote some SQL for

Page 34

1 Oracle.
2   Q. I'm sorry?
3   A. I wrote some SQL calls to Oracle.
4   Q. What does it mean to write some SQL
5 calls to Oracle?
6   A. I wrote some code.
7   Q. What code did you write?
8   A. I wrote the SQL calls to Oracle.
9   Q. What does that mean?
10   A. S-Q-L. That's basically accessing the
11 database, asking for information, getting
12 information back out.
13   Q. Those are the calls to the CGI that we
14 read about in your report?
15   A. No. It's the calls to the RGBMS for
16 the internal information that we have that we
17 showed working with the application. It's
18 separate than the CGI calls.
19   Q. I see, because part of your project was
20 to attempt to integrate this interface with the
21 CLEC's internal information?
22   A. That's correct.
23   Q. And for that information, you used
24 information that you at Albion had internally; is
25 that right?

Page 35

1   A. That we created internally.
2   Q. And it was the calls that enabled you
3 to retrieve that information that you worked on?
4   A. I did write some of that SQL.
5   Q. And that was the extent of your actual
6 software drafting?
7   A. That's correct.
8   Q. Did you review all the code that went
9 into the project?
10   A. I reviewed most of the window level
11 code. I did not review the code -- I wrote the
12 access past the Oracle. I did not review the code
13 on the building of the file for the EDI
14 component. And I did not code review the service
15 that integrated the CGI.
16   Q. Did you do any review of the CSR part
17 of the project?
18   A. No.
19   Q. Other than what you just described in
20 the description that appears on page 1 of your
21 report, can you elaborate just a bit on what your
22 responsibilities were for this project?
23   A. As it states, I was the project manager
24 providing project leadership, technical mentoring
25 to two individuals that were learning to use our

Page 36

1 framework. All of my integration with the client
2 was with Alex Dizon and Kathy Wilson-Chu.
3   Effectively, Alex was the co-project
4 manager from a BellSouth side. I issued weekly
5 reports and answered any high-level questions.
6   Q. Who is Kathy Wilson-Chu?
7   MR. ALEXANDER: She's in the room.
8 She's a BellSouth representative.
9 BY MR. O'ROARK:
10   Q. Don't say anything mean about her.
11 What is her role in BellSouth?
12   A. I do not know the answer to that.
13   Q. Do you know what her position is?
14   A. I've read it once on a business card,
15 and I cannot remember it.
16   Q. Do you know whether she works with
17 Mr. Dizon or is in his organization?
18   A. I don't know how the roles mix.
19   Q. For what kinds of information did you
20 call her?
21   A. Talking about project status, becoming
22 aware of, say, a new version, I believe. There
23 was a 2.1 version of the LENS specifications,
24 making sure we got those. Again, very high-level
25 stuff.

Page 37

1   Q. While we're on the subject,
2 Mr. Runnels, why don't we turn to you for a
3 moment. Let me ask you who your contacts were at
4 BellSouth.
5 BY MR. RUNNELS:
6   A. Primarily Alex Dizon.
7   Q. Did you talk to -- let me put it this
8 way. If you'll look at the last page of the
9 report, if you have that in front of you,
10 Mr. Runnels, there are a list of contacts. And
11 Alex Dizon is listed. Ms. Chu, is that the last
12 name?
13   MS. WILSON-CHU: Wilson-Chu, hyphenated
14 last name.
15 BY MR. O'ROARK:
16   Q. Thank you. Do you see anybody on this
17 list or in the group within this list that you
18 tried to call, Mr. Runnels?
19   A. That I tried to call?
20   Q. Yes.
21   A. Yes. I tried to call everyone in that
22 group.
23   Q. Was there anybody that you tried to
24 call that you were unsuccessful in reaching?
25   A. Karen Johnson is listed as a secondary

Page 38

LENS technical contact, because there were times when Carol Douglas was unable to return my call. There was a time when I believe she was on vacation.

None of these people other than Alex were actually assigned to me. As questions came up during the project, I would ask Alex who I should contact. And I would be given a name.

Q. What did you talk to Ms. Douglas about?

A. I talked to her about the CGI specifications.

Q. Can you be a little bit more specific?

A. There were times when there were typos or perhaps certain variable name had been left out or something like that within the CGI specs. And I would call to get from her what should have been in the specs.

Q. Was there anybody else at BellSouth that you communicated with about this project?

A. The people that are listed under the assigned contacts.

Q. What did Mr. Merck talk to you about?

A. I was having problems establishing a connection with -- actually establishing a

Page 39

connection to BellSouth. And I talked to Mr. Merck and Mr. Preston Jacquomo. As it turns out, the problems that I was having were due to some errors in my code. And it was not a BellSouth problem.

Q. I'm sorry, you say that Ms. Johnson did or did not get back to you?

A. Both Ms. Douglas and Ms. Johnson got back to me as needed.

Q. And Ms. Johnson also talked to you about CGI specifications?

A. Yes.

Q. And then how about Mr. Betts? What did you talk to him about?

A. He was the developer that Carol Douglas and Karen Johnson -- actually, Carol Douglas gave me his name as someone to contact on the more technical issues. And occasionally, when Carol was not there, I would ask Karen Johnson to contact Mr. Betts if I needed to.

Q. What more technical issues did you discuss with Mr. Betts?

A. Ms. Douglas was Mr. Betts's -- I'm not sure the exact role, but she was higher up within that organization, so to speak. She was not aware

Page 40

1 of all of the technical details within the CGI
2 specs. Mr. Betts was an actual LENS developer.
3 So therefore he was familiar with the
4 specifications.
5   Q. Do you recall specifically what issues
6 you discussed with Mr. Betts?
7   A. In most cases, it was typos within the
8 CGI specs. The way that the CGI calls have to be
9 made, as with just about any other type of
10 programming that you do, it has to be exact. If
11 it's not exact, what you get back may be incorrect
12 or you may not get back anything at all.
13   So I would call to make -- to verify
14 certain things. There were a couple of cases
15 where certain things had been left out, not major
16 pieces of functionality but maybe a certain call
17 that needed to be made. And I would call to get
18 that.
19   Q. Who on this list or otherwise at
20 BellSouth did you talk to about the CSR part of
21 the project?
22   A. I only talked to Alex Dizon and Raymond
23 Betts regarding the CSR.
24   Q. I'll direct this next question to
25 whoever can best answer it. I just wanted to get

Page 41

1 a rough division of time between Mr. Kumar and
2 Mr. Runnels. There's just a total time given for
3 software consultants. Was it roughly a 50/50
4 split, or did one of you work on the project more
5 than the other?
6 BY MR. BERMAN:
7   A. For that time frame, it's a 50/50
8 split.
9   Q. What do you mean for that time frame?
10   A. Projects just don't end on a date.
11 Mr. Kumar was pulled off the project. I took
12 myself off the project. And Mr. Runnels was only
13 left on the project to perform maintenance to the
14 software while we were completing this
15 documentation.
16   Q. Let me make sure I understand that.
17 You said that you took yourself off the project?
18   A. Basically started scaling myself back.
19 Instead of working two days a week, it would be
20 hours a week.
21   Q. Was this before April 30th?
22   A. No. After April 30th.
23   Q. So some work continued on the project
24 after April 30th. Can you tell me what work you
25 continued to do after April 30th?

Page 42

1   A. The only work that was done after
2 April 30th was completion of the documentation, I
3 believe Jack had a couple of outstanding issues as
4 he finished the CSR because that was a late
5 request.
6   BellSouth, at that point, was
7 performing acceptance testing on the integration
8 work that was completed.
9   Q. What is acceptance testing?
10   A. There were running it.
11   Q. Trying to see whether it worked or not?
12   A. Were they happy with it, did it perform
13 what they wanted it to perform. I believe also at
14 that time was when BellSouth had an auditor come
15 in. And I think Jack worked with -- talked with
16 the auditor.
17   Q. Who was the auditor?
18   A. I don't know.
19   Q. Mr. Runnels, do you know?
20 BY MR. RUNNELS:
21   A. His name was Christopher Weissman, I
22 believe was the name. He was a consultant from
23 Ernst & Young, contracted by BellSouth to
24 independently audit the validity of the
25 application.

Page 43

1   Q. Do the hours that are reflected here
2 under the time heading on page 1 only reflect time
3 spent through April 30th?
4 BY MR. BERMAN:
5   A. Do the hours?
6   Q. Yes. Do you see the hours I'm
7 referring to on page 1 of the report?
8   A. Yes.
9   Q. Are those all the hours that anyone
10 ever spent on the project or just the hours from
11 February 24th through April 30th?
12   A. That was all the hours between those
13 dates to complete the integration.
14   Q. Did Albion charge for its time after
15 April 30th?
16   A. Yes.
17   Q. Do you know how much more it charged?
18   A. The total invoice is $140,000 and
19 change.
20   Q. Did that include any license fee?
21   A. No license fees. That was the drawdown
22 of myself and the other consultant, working on
23 completing this documentation. The documentation
24 itself was outsourced, so there's the technical
25 writer.

Page 44

1   Q. What do you mean the documentation
2 itself was outsourced?
3   A. Effectively, Albion completed the
4 documentation, and we had a technical writer in
5 and make it look pretty.
6   Q. When you say make it pretty, are we
7 referring to this Exhibit 1?
8   A. That's correct.
9   Q. You all roughed it out, and then a
10 technical person came in to make it look nice. Is
11 that fair?
12   A. It was not roughed out. We
13 completed -- all of the wording that you read in
14 here, we completed.
15   Q. And why did they need a technical
16 writer?
17   A. We were not professionals at Microsoft
18 Word.
19   Q. So it was strictly a formatting
20 function?
21   A. Yes.
22   MR. ALEXANDER: Nor am I.
23 BY MR. O'ROARK:
24   Q. All right. So going back to what led
25 me down that path, of this 837 hours shown for the

Page 45

1 two software consultants, do you think that was
2 divided pretty evenly between Mr. Runnels and
3 Mr. Kumar?
4   A. That's correct.
5   Q. Mr. Runnels, do you agree with that?
6 BY MR. RUNNELS:
7   A. Yes.
8   Q. But then after April 30th, Mr. Kumar --
9 or at some point on or about April 30th, Mr. Kumar
10 dropped off the project. And after that,
11 Mr. Runnels probably had the lion's share of the
12 time?
13 BY MR. BERMAN:
14   A. After April 30th.
15   Q. And just so I'm clear, the work after
16 April 30th involved writing this report, working
17 with the auditor, working on acceptance testing?
18 It included at least those things, didn't it?
19   A. Yes.
20   Q. Did it include anything else?
21   A. I believe after April 30th, Jack
22 completed the CSR functionality, the requirement
23 that was added right before April 30th.
24   Q. Well, Mr. Runnels, let me turn to you
25 on that one, because I think you said that you got

Page 46

the CSR assignment about a week before April 30th, something like that.

    MR. ALEXANDER: Let me -- just for clarification, I think Mr. Berman said --

    MR. BERMAN: I said that.

    MR. ALEXANDER: -- the last week of the assignment. I think Mr. Runnels actually said a few days before the assignment.

BY MR. O'ROARK:

    Q. Okay. Thank you for that. Well, let's ask the witness since he's here. When did you get the CSR assignment?

BY MR. RUNNELS:

    A. It wasn't actually an assignment, in the respect that the other functionality that we were provided was. We were contracted to show the integration of the pre-order CGI interface and the firm order EDI-PC interface along with our own internal -- as we were mimicking the CLEC, our own internal business functionality.

    And the CSR essentially was kind of thrown in as we had time. Alex had mentioned to me -- I can't say that it was a week before the 30th. I don't remember the date. Alex had mentioned to me if we have time it would be

Page 47

something nice to do. And I worked on it. I didn't work on it until probably a few days before I ended my time with the project.

    Q. You do recall that you got the request, we can call it that, before April 30th?

    A. I don't recall the exact time, no.

    Q. Do you recall that you worked on it sometime after April 30th?

    A. Yes.

    Q. Do you recall when you finished your work on that?

    A. I don't recall. I don't recall exactly when I finished it, no.

    Q. Was it sometime in May?

    A. Oh, yes.

    Q. How many days did you spend on the CSR part of it?

    A. Probably spent about three days total.

    Q. Mr. Berman, let me ask you a couple of questions about due dates. One of the functionalities, I think it's described in your report. Starting at page 5, you'll see there's a reference to the installation calendar.

    I gather that in the pre-order mode with OPII, all you can do is view the installation

Page 48

1 calendar, not calculate a due date; is that
2 right?
3 BY MR. BERMAN:
4   A. In the pre-order stage, that is
5 correct, you can only view.
6   Q. Let's talk about the firm order stage,
7 which is discussed on the following page, page 6.
8 As I understand what you've got under the due date
9 calculation heading, a CLEC would enter a due
10 date. And the system would determine whether or
11 not that due date is valid; is that right?
12   A. That's correct. And, Jack, you may
13 want to --
14   Q. Mr. Runnels, do you have anything you
15 want to add to that?
16 BY MR. RUNNELS:
17   A. Only that within LENS, normally the
18 user would enter a due date -- enter a due date
19 that they would prefer. That would go across CGI
20 interface going to BellSouth's internal system to
21 be verified, and information would come back to
22 the user as to whether or not that was a valid
23 date.
24   We saw -- that information -- there's
25 enough information on the screen, in my opinion,

Page 49

1 to determine what is a valid date. As LENS stands
2 today, if you're told December 1st is invalid, you
3 could still request it.
4   I simply within the application do not
5 allow the user to request a date which is
6 determined to be invalid based on the information
7 that BellSouth has originally sent with the
8 calendar.
9   Q. Does OPII actually calculate a due
10 date? In other words, if could you ask it to
11 calculate the first available due date? I direct
12 the question to either one.
13   A. Again, if you tried to put in a date
14 which was not valid, it would not allow you to do
15 that.
16   Q. Understood.
17   A. The window -- a separate informational
18 pop-up window would come up and say that is not a
19 valid date.
20   Q. But could you ask for the first
21 available date?
22   A. Not within our application. Actually,
23 I'm sorry, I take that back. You have to realize
24 it's been months since I worked on this. I
25 think -- I can't say with certainty, but I think

Page 50

1 that I defaulted it to the first available date.
2   Q. When you say you defaulted it, what do
3 you mean?
4   A. The due date field. There was a field
5 for the user to enter the due date that would be
6 desired. And that field defaulted to the first
7 available date.
8   Q. And that's what you recall now, but
9 you're not absolutely sure of that?
10   A. I can't say that with certainty, but I
11 know I have a default date in there. And I'm
12 pretty sure that it was the first available date.
13   Q. And again, searching your memory, do
14 you show available alternative dates?
15   A. Alternative dates are dates which
16 are -- you are shown which dates you can't do it.
17 Available dates would be those dates which aren't
18 shown.
19   Q. Yes, but there are also intervals and
20 other things you have to calculate; right? In
21 other words, does OPII show you a list of all the
22 dates available for the service requested?
23   A. The list is would be really long to
24 show every date in a year that it's available to
25 request service. It's a lot more efficient to

Page 51

1 show those dates which are not allowed.
2   Q. But please do answer the question
3 though. Is it true that OPII does not list the
4 available due dates for the service requested?
5   MR. ALEXANDER: I'm going to object to
6 the question. I think the witness has answered
7 the question. The question presumes that he has
8 not. I think he clearly said how you show that
9 shows dates are not available. And every other
10 known date is available. I think he has answered
11 it.
12   MR. O'ROARK: Mr. Runnels, because this
13 is a deposition, Mr. Alexander has made his
14 objection for the record.
15   MR. ALEXANDER: And I would ask you to
16 rephrase. He's already asked and answered.
17   MR. O'ROARK: You can't direct this
18 witness not to answer a question.
19   (A discussion was had off the record.)
20 BY MR. O'ROARK:
21   Q. The question simply is whether OPII
22 lists the available due dates for the requested
23 service.
24   A. Again, I would say it does not list the
25 available due dates, but from the information that

Page 52

1 is displayed, it can easily be determined which
2 dates are available.
3   Q. Okay.
4   (A short recess was had.)
5   Q. Let's talk about CSRs for a little
6 while. Mr. Berman, on page 4 of your report under
7 order processing, it says that order processing is
8 the primary function of the application.
9   Actually, I think, as we've already
10 heard, would it be fair to say that obtaining CSR
11 though is a secondary function of the application;
12 is that right?
13 BY MR. BERMAN:
14   A. That's correct.
15   Q. Is that because you don't need CSR data
16 for an order for new residential service?
17   A. That's correct.
18   Q. Can you explain briefly why it is you
19 don't need CSR data for new residential --
20   A. Because it's a new order. The
21 application itself takes in that as input. All of
22 the information, validating the address, reserving
23 the phone numbers, etc., all that's input into the
24 new order. So the expectation is that there will
25 not be an existing record to look at.

Page 53

1   Q. I'm going to try this first with you,
2 Mr. Berman. And we may have to go to
3 Mr. Runnels. But is it fair to say that, as
4 currently structured, what OPII does is permit a
5 user to view a CSR?
6   A. It only allows a user to view a CSR.
7   Q. And Mr. Runnels let me flip it to you.
8 Do you agree with that assessment?
9 BY MR. RUNNELS:
10   A. Yes.
11   Q. Did Albion attempt at any point to
12 develop its software so that a user could do more
13 than view a CSR?
14 BY MR. BERMAN:
15   A. No.
16   Q. Mr. Runnels, I'll ask you the same
17 question.
18 BY MR. RUNNELS:
19   A. No.
20   Q. Looking at page 8 of the report,
21 Mr. Berman, are you familiar enough with the CSR
22 part of this to discuss the CSR functionality? To
23 the extent you're not, tell me and I'll ask
24 Mr. Runnels, because I know he was more directly
25 involved.

Page 54

BY MR. BERMAN:

A. Mr. Runnels was directly involved with this.

Q. Let me ask Mr. Runnels. And then I'll ask if you can follow up. Mr. Runnels, what does it mean to view only a CSR?

BY MR. RUNNELS:

A. Exactly that. Someone within a CLEC may want to view an existing service record for a customer. So that user would input -- I believe it's the telephone number and the state or region. And the CSR -- the customer service record would be returned via the CGI interface.

Q. What use of the CSR data can a user make other than simply using the data?

A. In our application, none.

Q. Would you agree with me that CSR data is transmitted via LENS in an unbroken string of 80 characters per line?

A. I don't know that it's 80 characters per line.

Q. Would you agree that it's transmitted via LENS in an unbroken string of characters of some number per line?

A. Yes.

Page 55

Q. And would you agree with me that to be able to use that data, it's important to break down or parse the data into smaller usable pieces?

A. Used for what reason?

Q. Let's say if you wanted to use it in connection with ordering.

A. I don't know at what level you would needs to parse the CSR to create an order.

Q. Would you agree with me though that there would have to be some parsing beyond the string of characters that you initially received?

A. Yes.

Q. Why don't we turn to page 25? That's the screen that shows the CSR. Mr. Runnels, I'll direct these questions to you at least initially. Let's get ourselves oriented a little bit. There are two boxes in the upper left-hand corner of the screen.

Do you see those?

A. Yes.

Q. And I gathered that the user would input the information of those blocks for the telephone number and for the state and city; is that right?

Page 56

1   A. Actually, the second field, which has
2 the state and the city, Georgia and Atlanta, it's
3 not just -- it's not always city that's associated
4 with that. In some cases, it's broken down. Like
5 for Georgia, for example, it's Georgia, Atlanta,
6 versus Georgia I think it's called out-state or
7 something like that. For others, it may just be
8 the state, like Kentucky.
9   Q. Is it just the phone number then that
10 the user enters?
11   A. Well, the user must select a state.
12 Most of the states that you select would just be
13 selecting the state. There are a couple of
14 instances where you would select the state and the
15 city. Or I think for Florida, there's like
16 northern Florida and southern Florida.
17   Q. Okay. Just so we're clear then, the
18 user would enter the telephone number in the first
19 box. And there may be some kind of drop-down
20 screen from the second box from which the user
21 would enter the information?
22   A. For the state; correct.
23 BY MR. BERMAN:
24   A. Select, not enter.
25 //

Page 57

1 BY MR. RUNNELS:
2   A. Right. It's not an enterable field.
3 The user must select from a list of available
4 states.
5   Q. Whereas the first box is an internal
6 field?
7   A. Yes.
8   Q. Once those two boxes are populated or
9 filled, what do you have to do to get all this
10 information below to appear?
11   A. The top button on the upper right
12 portion of the window, you can't really -- or at
13 least I can't within the document I'm looking at
14 read what the button says. But I know that it
15 says find.
16   If you click on that button, what will
17 happen is -- and BellSouth was very clear about
18 this. They wanted a window to pop saying are you
19 authorized to view the CSR, just to make sure
20 that, you know, you weren't doing any unauthorized
21 viewing.
22   Also during my testing I made sure that
23 all the phone numbers I was looking at I had the
24 machine do so. At that point, once it's
25 determined that you are authorized to view that

Page 58

1 CSR, the telephone number and the state are
2 sent -- they're packaged within a call to the CGI
3 server.
4 And if a valid CSR is returned, in the
5 form of hypertext markup language, HTML, it is
6 broken down or parsed into the data elements used
7 to display within the window.
8 Q. Let's talk about those elements. Let's
9 talk about them first in what I'm going to call
10 blocks. I see three blocks on the left-hand side
11 of the screen and one big block on the right-hand
12 side of the screen. And starting from the left,
13 the top block, I take it, is for directory
14 listing; is that right?
15 A. I can't read it. I can't say that for
16 certain.
17 BY MR. BERMAN:
18 A. Does anybody have a better copy that we
19 can seat actual labels? We can't see it.
20 MR. HOPKINS: No, but I might refer you
21 to page 8, talks about it being separated into
22 four different areas, four separate areas.
23 BY MR. O'ROARK:
24 Q. That's actually where I got the
25 information. Mr. Runnels, look at page 8. The

Page 59

1 last sentence talks about the information being
2 displayed in four separate areas
3 BY MR. RUNNELS:
4 A. Yes. The first area is the directory
5 listing information. The second box would be the
6 directory delivery information, and the third box
7 is the billing information.
8 Q. That's going top to bottom?
9 A. That's going top to bottom.
10 Q. And the information at the right is
11 service equipment remarks?
12 A. That's correct.
13 Q. And it appears to me -- let's talk
14 about the three blocks to the left. It appears to
15 me that you've divided the information into three
16 lines of data; is that right?
17 A. That is correct. There is also a check
18 box for whether or not the listing is to be
19 published.
20 Q. Okay. As we sit here today, can you
21 say that OPII can consistently parse CSR records
22 at this line level of granularity?
23 A. I tested this with four or five
24 numbers. I did not -- I don't know that it would
25 always parse to that degree.

Page 60

1 Q. Then on the right side, that right
2 block is not parsed at all; is that right?
3 A. That is correct.
4 Q. Did you make any attempt to parse the
5 information in the right block?
6 A. No, I did not.
7 Q. Why not?
8 A. Time. I was told to do what I could in
9 the short amount of time that was allotted for
10 it.
11 Q. Going back to the three blocks on the
12 left, are those broken into data fields?
13 A. Yes, that is correct.
14 Q. I guess you're interpreting fields then
15 to include those lines. Each line would be a
16 field?
17 A. I'm not sure if I understand the
18 question.
19 Q. For example, let's look at the upper
20 left block. It looks to me like we've got a line
21 for the name Dizon, Alex and Callie. Is that one
22 of the fields that you populated?
23 A. Yes. I populated that with the
24 information that was within the HTML for the
25 customer service record.

Page 61

1 Q. Are you familiar with the fields that
2 must be populated on an EDI order?
3 A. I am not familiar with exactly which
4 fields were populated, no.
5 Q. Are you generally familiar -- for
6 example, let me ask you this.
7 A. I don't --
8 Q. Go ahead.
9 A. I know that there is certain
10 information that needs to go on there. I know
11 that there are things like the listed name, the
12 billing name, the delivery name and address for
13 the directories, the type of service that you're
14 requesting, things of that nature. But exactly
15 how that information is presented in the order,
16 I'm not familiar with that.
17 Q. And for example, just take the street
18 address on an EDI order. Do you know if it
19 requires fields for the street number, street
20 name, street type such as road and street
21 directionality?
22 A. I don't know that.
23 Q. Mr. Berman, do you know?
24 BY MR. BERMAN:
25 A. I don't know that either.

Page 62

Q. Looking at that upper left block, it appears that the street address appears twice there, do you know why that would be?

BY MR. RUNNELS:

A. I believe the first listing is the directory listing. And the second listing is the actual street address that may be the opposite though. One is the actual listing, one is -- one is the directory listing. One is the actual street address.

Q. So you should always see two street addresses filling those two blocks or those two lines, excuse me?

A. Yes. For the CSRs which I tested the parsing on, there was a directory listing address as well as an actual address.

Q. Did Albion make any attempt to parse this data in these left-hand blocks to any finer level of granularity?

A. For purposes of this presentation, I determined that this was really all that was needed. I didn't -- I didn't break it down, no. I didn't even attempt to break it down any further than what you see here.

Q. Based on your experience in this

Page 63

project, would you expect any difficulty in attempting to parse the data down into smaller pieces?

A. Yes.

Q. Why is that?

A. That is because the information that is entered in these fields, I believe is free form.

Q. What do you mean by free form?

A. In other words, well, say for example, the second box, the top left of the window that you see here is a drop-down list. So where you see Georgia dash Atlanta, a user would be required to pick one of those.

So it's either one of those, or it's nothing. Whereas the one above it is a telephone number which can be entered by hand. So the user has the ability to put in whatever he or she wants. It's my guess that it's the same thing with these fields, as you see them here.

Q. These fields referring to the four blocks?

A. Referring to the blocks, yes. Say for example, the directory listing. That's how you want it listed; right? And that's not necessarily -- I mean you can have -- as far as I

Page 64

1 know, you can have your listing in a directory
2 appear just about any way you want it. So my
3 guess is that you wouldn't want to limit someone
4 to entering that a particular way.
5   Q. Why is that?
6   A. Well, because if you required someone
7 to put in a city, for example, and they don't want
8 a city, then you're not giving them the service
9 that they want. So in other words, these lines
10 there's no set format to these lines. So you
11 would really just be guessing as to where to
12 parse.
13   Q. And so for example, you might run into
14 difficulty as a programmer trying to deal with a
15 street name that had two words in it?
16   A. Correct.
17   Q. You might have trouble with whether
18 street or road was abbreviated or not?
19   A. Correct.
20   Q. The street might or might not have a
21 directionality associated with it.
22   A. Correct.
23   Q. City name might have more than one word
24 in it?
25   A. Correct.

Page 65

1   Q. Zip code might have five or it might
2 have 10 characters?
3   A. I don't know that.
4   Q. But previous ones, those are all
5 problems that would make it difficult, perhaps
6 impossible to parse this information at a finer
7 level of granularity?
8   A. Yes.
9   Q. Let's look for a moment at the right
10 block. Do you see most of the way down the page,
11 there's three way calling, an entry for that? Do
12 you see that?
13   A. Yes.
14   Q. And then it appears under that line
15 there's a telephone number. And then below that,
16 there's another line of data. Starting with
17 ZSER Do you see that line?
18   A. Yes.
19   Q. Do you know what data that is being
20 communicated there?
21   A. No.
22   Q. Do you know a what field identifiers
23 are, or FIDS as they're sometimes called?
24   A. I've heard the term. I'm not sure that
25 I could define it.

Page 66

1 Q. I gather it was not part of -- strike
2 that. I gather you didn't attempt to interpret
3 all the information that appears in this screen to
4 the right or this block to the right?
5 A. No. I'm not familiar with the business
6 enough to do that.
7 Q. Did you ever request BellSouth to
8 provide a CSR record layout?
9 A. I asked if there was one. And I was
10 told that there was not.
11 Q. Who did you ask?
12 A. I believe that I asked Raymond Betts.
13 Q. Did he tell you anything else other
14 than there was not one?
15 A. Regarding that request, no.
16 Q. Right. I understand you talked to him
17 about other things.
18 A. Right.
19 Q. But that was his only response when you
20 asked whether there was a CSR record layout?
21 A. Right, there was not.
22 Q. What is a record layout?
23 A. I assume that a record layout would be
24 saying in this line or in this space within a
25 record, you can expect this type of information to

Page 67

1 appear.
2 Q. It would, I suppose for example. Tell
3 you that in that unbroken string of string of
4 characters that we've been talking about, the
5 first 20 deal with the person's name?
6 A. It could be something along that line.
7 It could also be, in the case of the other HTTP,
8 there aren't necessarily definite lengths to
9 fields that are delimited by certain tags.
10 In other words, if you see this certain
11 tag, string of characters -- say question mark,
12 pound sign, whatever -- you know that what comes
13 after that is a certain type of value.
14 Q. And was it those tags that enabled you
15 to parse the information into the blocks shown on
16 this screen on page 25?
17 A. They were not HTML tags. As you
18 stated, the HTML tags within the document are at
19 the beginning of this long string of text and at
20 the end. But within the long string of text,
21 there are other things that I use. Say for
22 example, billing name was prefaced by BN, if I saw
23 BN, I knew the next thing was the billing name.
24 Q. So you were to some extent able to
25 break the code?

Page 68

1 A. Yes.
2 Q. But not completely?
3 A. As completely as I felt was necessary.
4 Q. As completely as necessary to fill
5 these lines of data shown on the screen?
6 A. Yes.
7 Q. Well, I believe you testified before
8 that you couldn't say for sure that the
9 application you developed would parse CSRs even at
10 this level of granularity in any case; is that
11 right?
12 A. That is correct.
13 Q. Mr. Runnels, were you involved at all
14 in the part of the project where information was
15 taken from the pre-ordering stage and then
16 automatically populated into an EDI order?
17 A. Well, there are two parts to that. One
18 is -- there are two parts to our application from
19 a presentation standpoint, in the ordering. One
20 is the pre-order information. That is where the
21 actual CGI integration takes place. Telephone
22 numbers are gathered, addresses validated, etc.
23 When you go through the firm order
24 part, what we have termed in here the generate
25 LSR, certain information is used -- certain

Page 69

1 information from the pre-order part of the
2 application is used to automatically populate
3 fields within the firm order part of the
4 application.
5 So in other words, the address that you
6 validated in the pre-order is the address you're
7 going to use in the firm order. So we'll carry
8 that over. The address that you use for service
9 is most likely going to be the address that you
10 use as a listing for delivery information, for
11 billing. These fields are pre populated.
12 The user has the ability to change
13 that. It's only when all of the information from
14 the pre-order and firm order that are required is
15 entered that that information that has been stored
16 as part of this big object that we call order is
17 actually converted into the EDI order. And that
18 is a separate process.
19 Q. And based on that experience that you
20 had with EDI ordering, is the EDI order broken
21 into fields such as the number for the street
22 address and street name and so forth?
23 A. I don't know the actual fields that are
24 on the EDI order.
25 Q. Is that because you don't remember

Page 70

or --

A. I was not responsible for that part of the application.

Q. Who was?

A. That was Muthu, M-u-t-h-u.

Q. Mr. Berman, is that true for you as well?

BY MR. BERMAN:

A. That's true. I've seen the file that's been created, but I can't answer to that detail.

BY MR. RUNNELS:

A. I've seen the file as well, but I again can't answer to that detail.

Q. Can you tell me, Mr. Runnels, whether you would expect to be able to populate the EDI order using data parsed to the level shown on page 25 of your report?

A. I don't know.

Q. When a LENS calls for CSR information, it obtains it from the CRIS database; is that right?

A. I don't know that. I don't know -- basically, I make a call. And I get back information. I'm not sure what all sort of back-end processing that BellSouth goes on to give

Page 71

me that information.

Q. Based on your knowledge and experience, you expect that the BellSouth database for CSR information, whatever it's called, would have to be broken down by fields to the specified numbers of characters?

A. I'm sorry, could you repeat that?

Q. Yes. I'm trying to -- the question is, based on your knowledge and experience, would the BellSouth database with this CSR information have to be broken down by fields with specified numbers of characters?

MR. ALEXANDER: Let me object, because the foundation of the question says based on his knowledge and experience. This witness has testified he did the CSR parsing that you've been crossing about for the last 10 minutes in three days.

As long as we're clear that that knowledge and experience is three days, then go ahead with your question.

BY MR. O'ROARK:

Q. Yes, I'm really getting at your knowledge as a computer programmer. You've dealt with databases a lot, I would assume.

Page 72

1   A. I do not know the database SCHEMA for
2 the CSR.
3   Q. Did you ever ask for the SCHEMA?
4   A. I asked Raymond if there was a way to
5 get the information at a more granular level. He
6 told me that as a LENS developer, he and his
7 coworkers would have liked to have been able to
8 present that in more granular fashion but that
9 what they got from the database was in the format
10 similar to what you see presented here.
11   And he was not aware of how it was
12 stored in the database or exactly -- either he was
13 not aware or he did not communicate to me how that
14 information got from the database to LENS.
15   Q. Have you ever seen a database that
16 didn't have fields broken down in specified
17 numbers of characters?
18   A. Well, I'm not sure how to answer that
19 question.
20   Q. Do they typically?
21   A. Well, again, I'm not sure how to answer
22 that question. If you're asking should -- say for
23 example -- the directory listing be broken down
24 into 3822 as a separate column, Meadow as a
25 separate column, Green as a separate whatever, I

Page 73

1 don't know.
2   It would depend on the needs. Whether
3 or not that should have a specified length is up
4 to the database administrator to design. Some
5 columns have specified lengths. Some columns have
6 variable lengths.
7 BY MR. BERMAN:
8   A. Let me add to this. I've worked on
9 many different accounts or projects for clients
10 that do it different ways. For instance, one
11 experience that I have is that they have broken it
12 apart purely for reasons for postage. Okay. In
13 other words, they can get better postal rates
14 because this piece is broken out, the way they
15 group, the mailing.
16   Versus other clients don't have the
17 need or the requirement to break it down any
18 further, okay. But if they do break it down, they
19 don't tell you the length, okay, because it's an
20 attribute in and of itself.
21   So when you receive it or go after it
22 from a database, per se, like street number versus
23 street name, that's it. You know that that's the
24 two different components. Okay.
25 //

Page 74

BY MR. RUNNELS:

1 BY MR. RUNNELS:
2   A. I guess the point I'd like to make is
3 that I don't know whether 3822 Meadow Green Court,
4 N. W., is stored as one long -- it could be one
5 column in a database. It could be multiple
6 columns in the database. I don't know that.
7   Q. Okay. If I use the term field by field
8 parsing to refer to parsing in a greater level of
9 granularity that would, say, break street address
10 down by number, name, type, and directionality,
11 will you understand what I'm talking about?
12   A. Yes.
13   Q. Would you agree with me that the only
14 way to parse CSR data accurately and consistently
15 on a field by field basis would be to have direct
16 access to the CRIS database or the BellSouth
17 database?
18   A. No. I would not agree with that.
19 There would be two ways, one of which if you had
20 direct access to the database, obviously you
21 wouldn't have to worry about the layout.
22 BY MR. BERMAN:
23   A. The database has to support that as
24 well.
25 //

Page 75

1 BY MR. RUNNELS:
2   A. Right.
3   Q. One at a time.
4   A. But if the CSR were presented in a
5 format similar to the way a list of telephone
6 numbers was presented, and it actually said, you
7 know, first name this and last name that or
8 whatever, that's another way to do it. There's
9 probably a lot of other ways to do it. I don't
10 know that it's necessary that you have to have
11 access to the database.
12   Q. I want to make sure I understand the
13 second way that you just described. I gather that
14 would be to have some intermediary service, sort
15 of like LENS or whatever LENS uses, that brings
16 the data back in a more user-friendly format? Is
17 that what you're describing?
18   A. Well, for example the billing name is
19 prefaced by BN, so I know what comes after it is
20 the billing name. The billing address is prefaced
21 by BA. So I know that that string after it is the
22 billing address. Someone could, I suppose, take
23 it a step further and say BA-1 is the street
24 number, BA-2 is the street name, BA-3 is the
25 directional or whatever.

Page 76

1   Q. And if you didn't have direct access to
2 the database, then that sort of information
3 somehow would have to be conveyed through whatever
4 service goes and gets the information from the
5 database; is that right?
6   A. Yes.
7   Q. Mr. Berman, you said you had something
8 to add. And I didn't want to interrupt you, but I
9 wanted to get you one at a time. Is there
10 anything you had to add to that?
11 BY MR. BERMAN:
12   A. No.
13   Q. Mr. Berman, do you recall in late July
14 receiving a telephone call from Mark Turner of
15 MCI?
16   A. That's correct.
17   Q. I take it it was a fairly brief call?
18   A. Yes, sir.
19   Q. Mr. Turner asked you for the technical
20 specifications for OPII; is that right?
21   A. That's correct.
22   Q. And what was your response to that?
23   A. My response -- Mr. Turner basically
24 acted like there was another piece of
25 documentation that Albion had on top of what we're

Page 77

1 looking at here that's been entered, as well as
2 there is a version of this that's purely a summary
3 form. Those are the only two pieces of
4 documentation that Albion had created for this
5 project.
6   Q. Other than the actual software code;
7 right?
8   A. Other than the software code.
9   Q. Did Mr. Turner ask to set up a call to
10 discuss the work you had done on CSRs?
11   A. That's correct.
12   Q. And I gather that the date that he
13 wanted to schedule the call was one on which you
14 were not available?
15   A. I don't remember that. It was apparent
16 that he wanted to talk at a detailed level about
17 CSRs that Jack would have been much more capable
18 of handling.
19   Q. So you had Mr. Runnels call Mr. Turner
20 back?
21   A. I do not remember chronologically how
22 that came into being. I called Jack and told him
23 that there would be a gentleman that would be
24 calling him. In fact, we talked to him a little
25 bit about what this gentleman wanted to talk

Page 78

about. And I guess they made the connection.

Q. Mr. Runnels, did you call Mr. Turner, or did Mr. Turner call you?

BY MR. RUNNELS:

A. I believe Mr. Turner called me.

Q. And I gather you had two telephone calls, that first one with Mr. Turner and then one the next day with Mr. Turner and a Mr. Mike Alden of MCI?

A. I do not recall the name of the developer that was involved in the conversation, but the first conversation was myself and Mr. Turner. And he set up the conference call the next day for himself, me and the developer.

Q. And when you say the developer, that's someone else within MCI?

A. Like I said, you provided the name.

Q. Right.

A. I'm not sure if that was the person's name or not. But I was told it was a developer with MCI.

Q. I'm just trying to make sure we're communicating.

A. Right.

Q. Was there anybody else on the call from

Page 79

Albion?

A. No.

Q. To your knowledge, was anybody else on the call at all?

A. I don't know.

Q. Okay. Did Mr. Turner tell you that MCI had been trying to use the CGI to process CSR data and had been having trouble doing so?

A. I don't recall whether it was Mr. Turner or Mr. Alden that communicated that to me. But that fact was communicated.

Q. And let's just talk about the two – strike that. Are you able to distinguish the two calls, or would it be easier for you just to talk about them collectively?

A. Well, the first call was essentially just to set up the second call. No technical – there was no really no technical talk about the CSR during the first call.

Q. Well, during the calls, were you told by the MCI representatives that they were calling because they had heard that Albion had been able to use the CGI successfully for CSR data?

A. For parsing the CSR, yes.

Q. Did you say on the calls that in fact

Page 80

1 Albion had had problems in parsing the data?
2   A. I said that we had – that there were
3 no technical specs for doing that, that it was
4 something – well, first of all, I made clear that
5 I only spent a few days working on it. And I only
6 tested it on a few numbers. So I couldn't
7 guarantee that it would work in all circumstances
8 and that there was no technical specification for
9 the – like a record layout or anything like that
10 for CSR.
11   Q. When you say technical specification,
12 you're using that synonymously with record
13 layout?
14   A. No, not synonymously. Well, there was
15 a technical specification for the CSR, in as much
16 as there was one for the other information that
17 was coming back via the CGI interface. In other
18 words, the information that I used, if you look at
19 a web page using a browser, like NetScape or
20 Internet Explorer, you have the ability to view
21 the source code behind the window.
22   And if you were to print off the source
23 code for a CSR or address validation or something
24 like that, that would be essentially the same
25 thing that was in the CGI specifications. So in

Page 81

1 other words, this is what you're going to get
2 back. It may or may not – depending on what you
3 were talking about – go into more detail about
4 what each thing within the source code that you
5 got was.
6   Q. What additional technical
7 specifications would you need to parse CSRs in
8 more detail?
9   A. Well, again, it depends on the format.
10 If you wanted to use the HTML that was returned
11 via the CGI interface, to do that, in my opinion,
12 you would have to have – well, basically, you
13 need to have something that's unique for each
14 thing that you want to parse out.
15   If you want – and say for example
16 billing address, if all you care about is the
17 billing address, regardless of the individual
18 pieces of that, the BA in front of that is
19 sufficient. If you want to use the HTML that
20 comes back to parse it down to the lower level,
21 you would need to have some sort of identifier
22 prior to the street number, for example, or the
23 street name.
24   Q. And to do that, you would want
25 specifications that would tell you what?

Page 82

1 A. You know, that say for example, B-1 is
2 street number, B-2 is street name.
3   Q. Is that similar to a data dictionary?
4   A. I don't know.
5   Q. Mr. Berman, do you know?
6 BY MR. BERMAN:
7   A. I don't know.
8   Q. Did you tell Mr. Turner that there was
9 a lot left out of the CGI specifications?
10   A. Yes.
11   Q. Other than what you described, can you
12 tell us what kinds of things were left out?
13 BY MR. RUNNELS:
14   A. Well, specifically for the CSR, what
15 was left out was what each of the lines meant.
16 Essentially, it said here's what you get back. In
17 other cases, as I had stated earlier, there were
18 either typos or perhaps certain things should have
19 been sent along with a certain string, a certain
20 call to the CGI server to get back information.
21   Some things were missing. That's why I
22 had to call Raymond or Carol to find that
23 information out. There were a couple cases, like
24 say for address validation that for whatever
25 reason, zip code was left out as one of the things

Page 83

1 that you need to send in in the request string.
2 Different things like that.
3   Q. Did you tell Mr. Turner and Mr. Alden
4 that you could parse CSR data into large blocks
5 but not smaller fields needed for a database?
6   A. If you wanted to store in a database
7 down to the level of street name, street number
8 etc., you could not do that, given the way that it
9 returned, no.
10   Q. And in its current form, it would be
11 impossible to parse CSRs at that level?
12   A. Yes.
13   Q. Did you tell Mr. Turner that BellSouth
14 had attempted to parse CSRs at that level, and it
15 was unable to do so?
16   A. That refers to what I had said earlier
17 that the LENS developers -- and I can't speak for
18 BellSouth as a whole, but the LENS developers
19 wanted it potentially at a more granular level,
20 but that what they got was essentially, you know,
21 what I got. That's the level they got it at. So
22 that's how they presented it.
23   Q. Did you say anything to the effect that
24 to parse to that field by field level, you would
25 need direct access to BellSouth's database, not

Page 84

1 via HTML?
2   A. Given if you were to try to use -- I
3 guess what I was trying to say was that given the
4 way it's presented in HTML, you cannot do it,
5 because there is nothing that delineates a number
6 versus a street name versus a street abbreviation
7 or whatever within a particular line.
8   If the HTML if the presentation within
9 the HTML was not to change, then my suggestion
10 would be -- and obviously, I'm sure everybody
11 would love to have direct access to a database,
12 but for security reasons not everybody is going
13 to -- you wouldn't necessarily want to allow that
14 to happen.
15   (A discussion was had off the record.)
16   Q. One follow-up. One of you mentioned
17 that, I think -- and correct me if I'm wrong --
18 that there were a few bugs that needed to be
19 worked out after April 30th or problems that
20 needed to be resolved. I can't remember how it
21 was phrased. First of all, is that correct?
22   A. Yes.
23 BY MR. BERMAN:
24   A. Yes.
25   MR. ALEXANDER: Are you referring to

Page 85

1 this morning? The last thing we talked about was
2 a telephone conversation between --
3   MR. O'ROARK: Yes. I'm changing
4 subjects now.
5   MR. ALEXANDER: I just wanted to make
6 sure what context.
7 BY MR. O'ROARK:
8   Q. Fair enough. I'm talking about the
9 general development, we're moving away from the
10 CSR --
11   MR. ALEXANDER: And you're referring to
12 statements made earlier at this deposition?
13 BY MR. O'ROARK:
14   Q. Yes, I am. Mr. Berman, do I have it
15 right that there were some things you needed to
16 work out after April 30th?
17   A. That's correct.
18   Q. Can you tell me what bugs or problems
19 those were?
20   A. I mean, it's just common software
21 bugs. What I mean by that is something -- a
22 specific permutation of trying to do some
23 processing may respond in an exception or an error
24 that we had not taken into account. Things of
25 that nature.

Page 86

BY MR. RUNNELS:

A. May I add to that?

Q. Sure.

A. When we spoke about acceptance testing, the purpose of that is that, as developers, we're more aware of the technical issues than the business issues. So it works when I test it, right, but I'm testing it in the way that I think it should be used.

So what I would do is I would give it to Alex, and Alex would test it. And he would say, "When I do this" -- which is something I hadn't thought of to do when I tested --"this happens, it breaks down." And I would fix it.

MR. O'ROARK: I believe that's all I have.

(A discussion was had off the record.)

EXAMINATION

BY MR. HOPKINS:

Q. Hi, I'm Mike Hopkins with AT&T. I heard that you have children. I wish you could try to explain some of these technical things to me like you do to your children, because some of it has gone over my head so far. And I won't use any Latin phrases, to make it easier on you.

Page 87

I'm just going to -- the way I want to do this is kind of step through your report and go page by page to the extent I can on things that I need to get a little bit more clarification on.

And on the first -- up in the executive overview, you said that you were tasked to prove the integration viability. Did you look at whether the quality of the integration matches what BellSouth provides itself?

BY MR. BERMAN:

A. No.

Q. Did you look at all at how BellSouth runs the integration on its side, the regional negotiation system?

A. No.

Q. You had mentioned that there was another project that you were working on for BellSouth in Roanoke. Does that have anything to do with the ordering systems that they -- billing systems that they use in the local arena down here in the BellSouth region, such as the regional negotiation system or any other ordering system?

A. I don't know the answer to that.

Q. Do you?

//

Page 88

BY MR. RUNNELS:

A. The only place that it really crosses, I suppose, is customers have the ability to have equipment that they've purchased billed on their BellSouth telephone bill. I'm working for BellSouth Communication Systems right now primarily network and --

Q. Okay.

A. -- equipment. And so they do feed essentially information that would normally appear on an invoice to BellSouth.

Q. So it's not the BellSouth local service?

A. No.

Q. It's a different part of BellSouth?

A. Yes, it's totally different.

Q. I need a scorecard for this.

(A discussion was had off the record.)

Q. Earlier you said that you didn't view the interfaces of prototype. And I'm not exactly sure how you make a distinction between a prototype and a commercial interface. Can you explain that to me?

BY MR. BERMAN:

A. The point I was trying to make was is

Page 89

that the underlying services that we wrote for the OPII software are production capable services, capable of handling certain levels of load and throughput. And the only way that you know what load that can take is based -- on it's a client-by-client situation.

Q. So your off-the-shelf --

A. Components.

Q. -- things you use --

A. Uh-huh (affirmative).

Q. -- have been used in production --

A. That's correct.

Q. -- with clients? Okay. Did you receive a statement of work from BellSouth on what you were supposed to accomplish?

A. I don't know the answer to that.

Q. Were your instructions to proceed with the project, were those verbal or written?

A. From within Albion, from Rob Marchant is the only verbal information that I had for the project.

Q. So he told you to do something. It wasn't any formal written documents saying do this?

A. That's correct. Jack had started on

Page 90

1 the project full-time already. And Jack was
2 already in the middle of getting -- you know,
3 determining what the actual work was and the
4 requirements and things like that.
5   Q. And I'm not directing these questions
6 to any one of you right now specifically. But if
7 you hear anything that you can add to that, I'd
8 appreciate it if you do.
9 BY MR. RUNNELS:
10   A. Okay. I don't recall that it was
11 necessarily written down. I don't know if it was
12 written down from BellSouth or from Rob. I met
13 with Rob initially to discuss what was expected of
14 me for the application. And I was told that we
15 were to -- I guess the word prototype has been
16 thrown around.
17   And I wanted to add a little
18 clarification to that. I guess the reason it's
19 called prototype is because it's not necessarily
20 for any particular CLEC. A lot of stuff I asked
21 Alex, "What should I do here?" And he said, "It's
22 up to you. Pretend you're the CLEC. What would
23 you like to see there?" So there were certain
24 decisions that I made on my own regarding that.
25   And basically, so it was a prototype in

Page 91

1 the sense that it only involved one type of
2 service. And there weren't formal specifications
3 for how it should be designed. We designed it how
4 we thought a CLEC might want it to look.
5   But back to the original question. I
6 was told by Rob that we should do new service for
7 residential all the way through, from the
8 pre-order integration of the CGI, to the firm
9 order, integration with the EDI-PC.
10   The specifics about what we should do
11 for like the internal integration to the CLEC
12 database and stuff like that, those were based on
13 suggestions we went along with the project from
14 Alex Dizon, because -- based on complaints that
15 CLECs had had.
16   So in other words, the CLECs don't want
17 to have to go through all the list of available
18 carriers to pick one in LENS if they know they're
19 always going to use a certain one. So that's why
20 originally we had -- I coded to get the list of
21 carriers from the CGI. And then after Alex told
22 me that a CLEC probably wouldn't want to do that,
23 we modified it to just pull from the database.
24   Q. Okay. On the time and expense, you
25 said there was a time and materials purchase

Page 92

1 order. Were there any real materials involved in
2 that in this, or was it all just time?
3 BY MR. BERMAN:
4   A. The development environment that we
5 used, the Forte application development
6 environment, that license was purchased by
7 BellSouth outside of this purchase order.
8   Q. How much was that for, by any chance?
9   A. I cannot answer that.
10   Q. But other than that, so there was no
11 material, per se?
12   A. Correct.
13 BY MR. RUNNELS:
14   A. Well, the cost of the documentation was
15 included.
16   Q. The formatting of the report?
17   A. The formatting, the printing.
18   Q. And that goes into the 140,000, not the
19 120,000?
20 BY MR. BERMAN:
21   A. That's correct.
22   Q. And just to ballpark, what are
23 approximately the hourly wages, I mean, you're
24 charged for these people?
25   A. The product architect is $200 an hour.

Page 93

1 The project manager is $150 an hour. The software
2 consultants are broken up between $125 an hour and
3 $100 an hour.
4   Q. Okay. And I could be wrong, but I just
5 took a ballpark on saying that the 140 -- the
6 $20,000 you spent after April 30th was -- does
7 that represent -- how many hours is that? About
8 $150,000? I don't know what you put in the cost
9 of this report.
10   A. That would be 160 hours for somebody
11 billing at a rate of, what 125 an hour. That's
12 four weeks', basically, worth of work. Jack was
13 on -- Jack was billing at $125 an hour. So he was
14 on for the full month of May.
15   Q. Jack was working more than 40-hour
16 weeks, I'm sure?
17   A. Software consultants work more than
18 40-hour weeks.
19   Q. Doing the math, I figured it to be 50.
20 But I don't know if that's true.
21   A. Jack was actually flying in from out of
22 town. So when you're out of town away from your
23 family, you have nothing else to do but work.
24   (A discussion was had off the record.)
25   Q. On the product architect, it says

Page 94

something about in the description to meet or
exceed performance requirements set forth by
BellSouth Telecommunications. Can you tell me
what the performance requirements were?

A. That we were given, no. Like I said
earlier, we were given no requirements in terms of
message throughput, number of messages per minute,
what have you.

Q. So are you saying just that it works
was enough, not how well it works?

A. Can you rephrase that?

Q. Well, you talk about performance
requirements. And I'm wondering if there is some
kind of performance level that you had to achieve
in order to meet these requirements, or was it
just that the system worked?

A. The system worked and the underlying
services were capable -- production capable
services. We were given no instructions to
actually test the load of those services.

Q. The load or how fast it does
something?

A. That's correct.

Q. You said you completed the project on
April 30th. I'm jumping back a little bit. Was

Page 95

the CSR portion completed by April 30th?

A. I would say no.

BY MR. RUNNELS:

A. No.

Q. So that should be -- that's not
completely accurate, that date there? This
statement that completed the project on
April 30th?

MR. D'CRUZ: Let me, just for the
record, it depends on what the definition of the
project is. I think they had testified earlier
that the CSR was an add-on or something.

BY MR. HOPKINS:

Q. Okay. And let me follow up on that.
In the report it talks about view CSR, and that
would -- this function on page 8 that you
described in the report was not completed by
April 30th; is that correct?

BY MR. BERMAN:

A. That's correct.

Q. So to the extent that the project is
represented by what's reported in this document,
it wasn't done by April 30th?

A. That's correct.

Q. Okay.

Page 96

1 BY MR. RUNNELS:
2   A. Also, there were certain things that
3 basically the functionality was complete, but the
4 calls to do that functionality were not complete.
5 In other words, as I talked about earlier, you
6 have to send a certain call through the CGI server
7 to get back certain information on HTML format.
8 BY MR. BERMAN:
9   A. I had access to that information
10 because I could print the source code through
11 NetScape or something like that. So the code had
12 been developed to parse through the services and
13 features. But we were missing one of the
14 variables to send in to get the servicing
15 features.
16   And essentially I was just -- one of
17 the other things I was waiting for was a phone
18 call saying here's what you need to put there.
19 Once I had got there -- it had already been tested
20 with the data, right. I was just running the
21 data, running my code against data that I had
22 pulled off of a web browser.
23   And once I got the call and was able to
24 pull the code from the CGI, I just tested against
25 that. So the major functionality was done. There

Page 97

1 were just really some minor details.
2   Q. And so that variable wasn't in the
3 specification documentation that you received.
4 And so that was one of the gaps in the
5 documentation?
6   A. Right.
7   Q. Moving on to page 2. Talking about the
8 requirement when you say that the LENS web
9 application was used as a model for the business
10 requirements, is that because you had to go
11 through the LENS screens to accomplish the
12 business functions? So it had to be the business
13 requirements?
14   Do you understand what I'm asking?
15   A. Yes. As we stated earlier, we have not
16 worked in this area or business domain. And so
17 the LENS application actually was a way to let us
18 leverage and understand how a CLEC would have to
19 integrate from a business perspective the
20 information that was required, etc., to perform a
21 new service for residential.
22   Q. And on the last sentence, you say that
23 there was non-BST requirements in the software.
24 And is it true that those came from Alex Dizon?
25 //

Page 98

1 BY MR. RUNNELS:
2   A. Yeah, they weren't necessarily
3 requirements. They were more along the lines of
4 suggestions.
5   Q. Okay.
6   A. You know, what would a CLEC most likely
7 want to integrate into the application.
8   Q. On the software development, you've
9 talked about because you've had this framework,
10 you more or less two months ahead of the curve, is
11 that typical for consulting firms or people that
12 do software? Or would a CLEC have to be 60 days
13 behind to be starting from scratch?
14 BY MR. BERMAN:
15   A. In all software development, no matter
16 what language or tools you use to develop that
17 software, there are commercially available
18 products out there that allow you to leverage
19 common code, common user interfaces, common access
20 patterns, passed to various databases, it's
21 generally available to anybody writing software.
22   Q. On the following page, on page 3 under
23 documents and information use, you used the
24 phrase, within the second sentence. These
25 information sources included. Is that an

Page 99

1 exclusive list? I mean does include everything
2 you've got, or could it be read included but not
3 limited to?
4   A. You'd have to rephrase that.
5   Q. Well, okay. From the way the paragraph
6 reads, you could read it two ways. One is that
7 these are the only three documents you've got, you
8 received from BellSouth. Or these are three of a
9 bigger universe of documents you received from
10 BellSouth.
11   Which one accurately portrays what you
12 intended to mean by this?
13   A. These are the only documents that we
14 received from BellSouth.
15   Q. So it's an exclusive list. There's no
16 other documents received outside --
17   A. Correct.
18   Q. Okay.
19   A. The wording included is not --
20   Q. Do you know when you received these
21 documents?
22 BY MR. RUNNELS:
23   A. The LENS CGI interface specification,
24 we received -- I received that from Day One of the
25 project. I don't remember the exact date. The

Page 100

1 specifications were not -- the specifications were
2 for the version of LENS at that time. LENS
3 actually went through a version change during the
4 development of our application.
5   So we had to -- so at a certain point,
6 and again, I don't remember the date, we switched
7 from using the LENS version -- I don't remember
8 what it was -- to the version 2.1. And the LEO
9 implementation guide actually came in later. We
10 didn't have that to begin with.
11   Q. Okay. And the LENS system, you can get
12 that. So it's whenever you got access to LENS?
13 BY MR. BERMAN:
14   A. Right.
15   Q. On the time line, you said it's from
16 February 24th to April 30th. What started on
17 February 24th? Was that when you contracted with
18 them, or is that when someone began to put pen to
19 paper, or how does that -- what does that date
20 represent?
21   A. Code development.
22   Q. Code development. So is that when --
23 Jack, is that when you started? I figure --
24 BY MR. RUNNELS:
25   A. That's fine. Yeah, that's when I

Page 101

1 started developing the code.
2   Q. Okay. And that's week one. Can you
3 give an estimate of when in the process you
4 thought you had got the updated LENS
5 specification, the LENS 2.1?
6   A. Week four, week five. I'm not sure.
7 Not much had changed. In fact, I can't recall
8 that anything had changed that necessarily
9 affected my coding anyway.
10   Q. So this -- if we were to -- I don't
11 mean to be real picky, but if we were to correct
12 this statement on these documents that you
13 received, it would be also LENS specification 2.0
14 and LENS specification 2.1; is that correct?
15   A. I don't remember the version number for
16 the original LENS specs that I have.
17   Q. Assuming it's 2.0.
18   A. Assuming it's 2.0, then it would,
19 yeah. There was an earlier version of the LENS
20 CGI specs.
21   Q. Okay. So there's actually four
22 documents that you received rather than four -- or
23 four sources of information?
24 BY MR. BERMAN:
25   A. (Witness nodded head affirmatively.)

Page 102

Q. At that stage, week four or week five, how far along into the project were you? Is there an easy way to describe how that process --

A. Yeah, I can talk to that. I would say from a development perspective in comparing this to other projects, at this point in time, almost all of the window development for the order processing was completed.

Probably 75 percent of the time, for the amount of time it took to develop this application, it was spent on integration with the CGI and the EDI. The whole user interface was rather quickly. And again, that's based on using prebuilt framework components.

Q. And you -- Jack, I think you said you had had to call for the LENS -- updated LENS specification. Did someone tell you that there was one, and you got a copy of it, or did BellSouth notify you that there was an updated specification?

BY MR. RUNNELS:

A. I think it was when I called to ask a question about the original specifications, I was told that a new version was coming out on a certain date. I don't remember what that date

Page 103

was. And I was E-mailed a draft copy of those specs. And then when the actual specs came out, I was E-mailed a copy of that as well.

So I didn't use -- I didn't even use the draft, because I got the actual specs like, I don't know, a day or two after that anyway.

Q. Let's move on to the next page on 4. And it's new service residential. When you talk about the web-based application, am I correct that you -- the system still goes through the web browser, it's just that it's invisible to the end user?

BY MR. BERMAN:

A. It doesn't go through the browser. It integrates to the CGI server. The LENS system, the browser, when you talk about viewing LENS through the browser, that's talking to the CGI server as well.

Q. Is there any way you can try to draw me a picture? And I don't want any -- if any diagrams you have in this package have it, on the difference between what happens if you go through just a LENS system as opposed to the LENS CGI, the Albion interface?

A. I can't answer as to the LENS to the

Page 104

1 CGI.
2 BY MR. RUNNELS:
3   A. The calls that are sent are essentially
4 the same. When you're looking at a web page and a
5 browser and you enter information into whatever
6 fields are on that page, the information that you
7 entered becomes part of a query string that is
8 sent back to the CGI server.
9   Rather than having the user do that
10 through the web browser, we do that through our
11 application. Some information is entered by the
12 user. Some is pulled from the database. But the
13 end query string that gets built will look the
14 same as one that was one that was created through
15 a browser using LENS.
16   Q. I think I'm confusing my technical
17 terms. And is there a difference between a web
18 server and CGI server?
19   A. As far as I know, the IP address of the
20 CGI server that I was using for the application is
21 the same IP address that is used by the LENS --
22 used by the web browser to communicate from LENS
23 to the CGI.
24   Q. And when you're using the -- just call
25 it the OP interface, you have to step through the

Page 105

1 same screens, the system does, that you'd
2 otherwise have to step through if you use the LENS
3 system? Is that correct?
4   A That is not correct.
5   Q. Okay. Can you explain the difference?
6   A. Because for the pre-order phase, CGI
7 integration is required. You must validate an
8 address, you must get a list of available
9 telephone numbers.
10   Q. Okay. I got you.
11   A In LENS, you would continue to go
12 through the CGI interface with a firm order part
13 of that. That is not required within our
14 application. There is no CGI interface during the
15 firm order phase of our application.
16   Q. Okay. But you could go -- I'll get to
17 that in a minute. The EDI -- and the result of
18 the completing the order, you get an EDI flat
19 file, and that's sent to somewhere; right?
20   A Right.
21   Q And have you tested whether that EDI
22 flat file can be used by the EDI-PC and result in
23 a valid order?
24 BY MR. BERMAN:
25   A. Yes.

Page 106

1   Q. You've tested it all the way from an
2 actual --
3   A. We've tested it all the way through and
4 out the back side of the back side of Harbinger's
5 Trusted Link Software.
6   Q. Do you know what happens when it gets
7 to BellSouth, or did you just stop it to say --
8   A. We stopped it there and handed that
9 file at that point off to Alex Dizon.
10   Q. Okay. So it never went into
11 BellSouth's system. It just stopped?
12   A. That's correct. It was a production
13 system. We'd be entering production orders.
14   Q. On the pre-order phase on the address
15 validation, are you familiar with how the LENS
16 system works in the inquiry mode?
17   A. No, I'm not.
18   Q. Are you?
19 BY MR. RUNNELS:
20   A. Yes.
21   Q. In the inquiry mode, would you agree
22 with me that for address validation in others you
23 have to validate the address before performing
24 each other function, like reserve telephone
25 numbers, receive features?

Page 107

1   A. Yes.
2   Q. All of that. Does the OP interface
3 perform an address validation before reserving
4 telephone numbers and doing features invisible to
5 the user?
6   A. Since address validation predicates
7 everything else, that is the first tab in the
8 folder that is displayed to the user.
9   Q. Right.
10   A. A valid address must be obtained from
11 the CGI server before any of the other tabs are
12 even enabled. So within our application, you
13 couldn't even try to observe a phone number.
14   Q. Right. But in LENS, you have to do it
15 multiple times to do different tasks. Do you do
16 that behind the scenes?
17   A. We store temporarily within --
18 basically the way our application works is it's
19 object oriented. There's one big object called
20 order, which has a lot of attributes hanging off
21 of it, one of which would be the address, the
22 validated address. And as an address is
23 determined to be validated, that information is
24 stored --
25   Q. Right.

Page 108

1   A. -- there. That information is then
2 used to do the other services.
3   Q. Okay.
4   A. The user does not have to enter that
5 valid address again, but that information will be
6 used to call through to the CGI server to get the
7 telephone numbers.
8   Q. That function is still performed
9 invisible to the user?
10   A. That is correct.
11   Q. And is it the time associated in the
12 associated with those -- let's say for example it
13 takes two seconds to send out an address
14 validation and get a confirmation back from
15 BellSouth. Is that delay involved every time you
16 do the reserve phone number features and services
17 function since that has to be performed?
18   A. That may be the case, but you save time
19 on the fact that you don't have to type it in.
20   Q. Right. On the reserve phone numbers
21 feature -- and you have a picture of it on
22 page 12 -- there's only -- it shows seven
23 numbers. And in LENS, when you make a call -- I
24 don't know if you're aware -- it displays 10
25 numbers.

Page 109

1   A. There probably are more. There's a
2 scroll bar to the right. The scroll bar is -- if
3 there are only seven numbers, the scroll bar would
4 not even be visible.
5   Q. Right.
6   A. Well, it would be, I guess, disabled.
7 It wouldn't look the way that it looks there.
8   Q. So it probably -- maybe you should have
9 put a box that has 10 instead of seven. Is that
10 what you're -- it's a presentation issue here, not
11 a --
12   A. Right.
13   Q. Okay.
14   A. It was determined that again, this was
15 one of those issues where we're the CLEC, and we
16 get to make the decision. For our CLEC, we would
17 probably only be choosing one number at a time.
18 So it wasn't really necessary to increase the
19 space of that to see 10 numbers.
20   Q. On the features, which is I think the
21 following page, there are -- do you know
22 approximately how many features there are
23 available to someone who is ordering new service
24 residential?
25   A. I know it's a lot.

Page 110

Q. And your box just displays, I don't know, maybe 10 or something like that.

A. Actually, there are feature groups, the first of which is custom calling.

Q. Okay.

A. Within LENS, there is one -- you can select from a really long list of features.

Q. Right.

A. Then there's also one really long button for like the five most common featured groups, like Touch Star -- I'm not sure of all the different groupings, custom calling. And essentially this is broken down in kind of like a tree format, in a hierarchy format.

If the customer calling feature group were closed down, you would see the other feature groups within there. And you could open up one of those. And you would see the associated features, as you see here. If you were to open up the three-way calling node, as is indicated that you can do so by the fact that it has that little sideways triangle there -- there are actually multiple levels of information that are available on the screen.

Q. Okay. When you get your -- make this

Page 111

feature query through the OP, do you receive back the whole universe in one call? Do you receive back all the data, or do you have to make multiple calls whenever you want to look for different information regarding a particular feature service?

A. No. All the information for those five most common feature groups comes back in one, the same as it does in LENS. It's all on essentially one web page.

Q. One call?

A. Right. And we package that up to be displayed in this hierarchy format. You either open up a certain feature group to display more information within that -- if you want it to display more information, you would open up that node. You take it to whatever level you want the information.

Q. But beyond those five, does that require additional calls to the --

A. This application was not designed to handle other than those five.

Q. Okay.

A. We made a decision that most of -- the reason all those five are on one button is because

Page 112

1 in a large percentage of the time, those are the
2 ones that are going to be used and none else,
3 especially for new service residential, which is
4 what we were contracted to do.
5 So in mimicking a CLEC, we decided that
6 our CLEC would only ever use those features and
7 services.
8 Q. Let me pose a question to you. If
9 another CLEC decided that he wanted all the
10 features and functions available, would that
11 require multiple calls to BellSouth data base?
12 A. I don't know -- I know that you can get
13 information on multiple feature groups by clicking
14 each line in a drop-down list, control, while
15 holding down the control key which is a standard
16 way of multiple selection in a drop-down list.
17 I don't know if there's a limit on the
18 number that can be returned. I don't know if you
19 could control click every single one in the list.
20 But provided that you could do that, you could
21 construct, in my opinion, a call to the CGI server
22 to retrieve all --
23 Q. All the products and services?
24 A. Right. I don't know -- from a
25 performance standpoint, I don't know that it would

Page 113

1 be desirable to do that. If you're only
2 interested in a few, you probably wouldn't want
3 all of them to come back. But again --
4 Q. If you wanted to --
5 MR. ALEXANDER: Can he finish his
6 answer before you ask the next question?
7 MR. RUNNELS: Well, basically all I was
8 going to say is that there is multiple ways to do
9 it; right? If you know you're only going to use a
10 certain set of features and services, we could
11 have saved that in the database. Personally, if I
12 were doing that -- we didn't do that because there
13 are two points to this prototype, if you want to
14 call it that.
15 One is to show what a CLEC might want
16 to do. The other is to show what functionality
17 can provided. We might want to pull a lot of
18 stuff from a database. But that doesn't do a
19 whole lot of good for BellSouth to show that we
20 can pull these things from the CGI.
21 So even though, in my opinion, you
22 might want to pull this from your own internal
23 database, we left this in as a CGI call to show
24 that it can be done.
25 Q. And if a CLEC want to have a list of

Page 114

1 the BellSouth services and wanted to be able to do
2 a search capability within those, you know, full
3 range of services, you are not sure whether that
4 would require multiple calls?
5   A. I'm not sure, but I don't think it
6 would. It depends on the limitation of the --
7   Q. Control click?
8   A. -- control click, the multiselection of
9 items within a drop-down list.
10   Q. You've said that to get the available
11 carriers, I think what you mean by that is the
12 long distance carriers?
13   A. Yes, yes.
14   Q. And you said that you thought that a
15 CLEC would want to have his own database to do
16 that?
17   A. Correct.
18   Q. What led you to that conclusion?
19   A. Apparently one of the complaints that
20 CLECs had, according to Alex Dizon, is that in
21 BellSouth's version of the pre-order firm order
22 stuff -- which I haven't seen, so I really don't
23 know -- there are certain ones that they choose
24 from all the time.
25   They get a certain list. They always

Page 115

1 get that list. Whereas the CLECs get this
2 randomly generated list that they have to click
3 through multiple times. So it was decided that a
4 CLEC would probably more likely want to have a
5 single list that they chose from, rather than have
6 to rely on getting -- I guess BellSouth's, I don't
7 know, legally obligated to provide in a random
8 order a listing of every possible long distance
9 carrier.
10   I don't know. And a CLEC probably
11 wouldn't want to have to wade through that. So we
12 just stored that in the CLEC's database.
13   Q. What if a CLEC had the same legal
14 obligation?
15   A. I suppose they would get -- I suppose
16 they would get the list. Well, I don't know. I
17 mean, from a personal standpoint, if I were a CLEC
18 and I had to provide the same possibilities for
19 the customer, I would probably use the same list
20 that BellSouth uses. I don't know where you can
21 obtain that, but that's what I would obtain. I
22 still probably would not go through BellSouth to
23 do that.
24   Q. And why wouldn't you go through
25 BellSouth?

Page 116

1   A. Well, if there's a list, why not store
2 it yourself instead of retrieve it from somebody
3 else each time you needed to use it?
4   Q. What if the list changes?
5   A. Well, again, it depends on who you're
6 saying is responsible for providing the
7 availability.
8   Q. Okay.
9   A. If you're saying BellSouth is legally
10 obligated and you as a CLEC want to mimic that,
11 then maybe you should hit BellSouth every time.
12 If you're saying the liability falls more on the
13 CLEC, then maybe the CLEC should get the list
14 directly rather than relying on BellSouth to
15 maintain.
16   Q. Okay. On the firm order phase, someone
17 said that you don't need a CSR for a new
18 residential order. I can't remember which one.
19 Do you recall?
20 BY MR. BERMAN:
21   A. I said I don't believe that -- I was
22 the one that said that you didn't have to have a
23 CSR for a new residential order.
24   Q. If a customer was adding a new line to
25 his house, did you think about that situation on

Page 117

1 whether a CSR would come in handy?
2   A. No.
3   Q. So you just assumed that it was a new
4 customer, you wouldn't have a customer service
5 record for him?
6   A. That's correct.
7   Q. On the due date calculation, there
8 was -- Jack, I think you said that it was -- you
9 validated the date in the firm order or in the
10 ordering mode.
11 BY MR. RUNNELS:
12   A. Yes.
13   Q. I'm trying to think what page.
14   MR. ALEXANDER: I think it's on 16.
15 BY MR. HOPKINS:
16   Q. 16, thank you. Is that validation
17 process just making sure that your desired due
18 date isn't one of the close dates?
19   A. Correct.
20   Q. So if the first date available was --
21 let's look at this example -- was April 12th,
22 that's the first date available, and you place the
23 order on April 11th, and populates it with the
24 April 12th, that would assume that's a valid date;
25 is that correct?

Page 118

A. The page that I'm looking at shows April 12th as a close date.

Q. Further down. It's not in order, I see. Let's do it a step back then. Let's say the first date available is April 11th, and you make the order on April 10. Would that say that's a valid due date?

A. Yes.

Q. And so that doesn't take into account the intervals provided below in that it takes several days to provide a particular service or feature?

A. Not in our application.

Q. So that your system, as it stands, may validate a date that would be rejected by the system?

A. Yes.

Q. On the CSR, page 25, the top box -- well, on the left, which is it has Dizon and Alex -- Dizon, Alex and Callie, you have two different addresses there. Do you remember whether one address represents the location, and the other address represents the directory listing?

A. That is correct. One is the service

Page 119

address. Looking at this right now, I can't read the field labels. I'm not sure exactly which one is which.

Q. Neither can I.

A. One is a service address, one is the directory listing address.

MR. ALEXANDER: Just for the record, it's because of the copy quality on the paper.

MR. HOPKINS: It wasn't intentional, I'm sure.

MR. ALEXANDER: I'm sure. Mike, can I just ask a question. You've spent a lot of time on this. Are you --

MR. HOPKINS: I'm going to move through it quickly.

MR. ALEXANDER: Okay. That's fine.

MR. MERSHON: I think this has been asked and answered.

MR. HOPKINS: This question hasn't been asked and answered.

MR. RUNNELS: Yes, it has.

MR. HOPKINS: He didn't know what the two represented. One said that one was the location and one was a directory listing.

MR. RUNNELS: I thought I had.

Page 120

1   MR. HOPKINS: If you did, I missed it,
2 and I apologize.
3   MR. ALEXANDER: That's fine. That's
4 the only reason I asked. I think a lot of detail
5 was done on this particular page.
6 BY MR. HOPKINS:
7   Q. And you said you didn't know what would
8 have to be parsed to go into an EDI order for,
9 let's say, the address; is that correct?
10   A. I'm not familiar with it at that level
11 of detail.
12   Q. Now, if you look at page 17, which is
13 your firm order -- I think this is your firm order
14 sheet.
15   A. Is that the --
16   Q. Well, your firm order window? Or is
17 there a different firm order? Well, let me just
18 refer you to page 15. And I think that's the firm
19 order window; is that correct?
20   A. 15?
21   Q. Yes.
22 BY MR. BERMAN:
23   A. That's the start of it.
24 BY MR. RUNNELS:
25   A. That's the first tab within the firm

Page 121

1 order.
2   Q. So assuming that this window parses it
3 in what's required to go into an EDI, do you think
4 it would be reasonable to assume that this form
5 parses it in enough detail to create a valid EDI
6 order?
7   A. Yes.
8   Q. And so you'd have to at least separate
9 out the city and state and zip code from the
10 street address?
11   A. I don't know. Those may have been
12 concatenated back together,
13 c-o-n-c-a-t-e-n-a-t-e-d.
14   Q. What does that mean?
15   MR. ALEXANDER: Mike, I thought you
16 knew that.
17   MR. RUNNELS: Those may have been
18 combined into one string for purposes of entering
19 it into a field on the EDI order. I don't know.
20 BY MR. HOPKINS:
21   Q. You don't know. So this isn't a way to
22 figure out how it's necessary to parse an address
23 for EDI order?
24   A. No.
25 BY MR. BERMAN: